

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN**

DONALD J. TRUMP FOR  
PRESIDENT, INC.; *et al.*,

Plaintiffs,

v.

JOCELYN BENSON, in her capacity  
as Michigan Secretary of State; *et al.*,

Defendants.

Civil Action No.: 20-cv-01083

Honorable Janet T. Neff

**CERTIFICATE OF PROPOSED INTERVENORS MICHIGAN STATE  
CONFERENCE NAACP, YVONNE WHITE, WENDELL ANTHONY,  
AND ANDRE WILKES.  
PURSUANT TO LOCAL RULE 7.1(d)**

Pursuant to Local Rule 7.1(d), the Michigan State Conference NAACP (“NAACP-MI”), Yvonne White, Wendell Anthony, and Andre Wilkes (collectively, “Applicants”) respectfully submit this certificate setting forth Applicants’ efforts to comply with their obligation to confer in good faith with the parties and to ascertain whether Applicants’ motion to intervene will be opposed.

On November 12, 2020, Applicants’ counsel, Julie Houk, sent an email to Plaintiffs’ counsel, Mark F. (Thor) Hearne, II, at approximately 1:13 p.m. ET to inquire whether his clients would oppose the motion to intervene. In the email, Ms. Houk noted she was contacting him pursuant to the requirements of Local Rule 7.1(d). When Ms. Houk did not receive a response to this email, she attempted to reach Mr. Hearne by calling his office at approximately 3:53 p.m. ET on November 12, 2020. Ms. Houk was unable to speak with him directly at that time, but left a voicemail stating why she was calling and that she was reaching out to him pursuant to Local Rule 7.1(d). Ms. Houk followed up that call with another email to Mr. Hearne on November 12, 2020 at approximately 4:13 p.m.

Having received no response to her efforts to contact Plaintiffs’ counsel on November 12, 2020, Ms. Houk called Mr. Hearn’s office on November 13, 2020 at approximately 10:00 a.m. ET. She was unable to speak with him directly at that time, but left a message with a woman who answered the telephone requesting that he return her call. Ms. Houk mentioned that she had left a voicemail yesterday and

sent him two emails about the reason for her efforts to contact him. Ms. Houk followed up that call with another email to Mr. Hearne at approximately 10:13 ET requesting the courtesy of a reply by noon today as of the drafting of this certificate at 12:20 ET, Applicants' counsel has received no response to any of Ms. Houk's efforts to meet and confer with Plaintiffs' counsel pursuant to Local Rule 7.1(d).

Ms. Houk was able to meet and confer pursuant to Local Rule 7.1(d) with Heather S. Meingast, Division Chief, Civil Litigation, Employment & Elections Division, Michigan Department of Attorney General, whose office will be counsel for Jocelyn Benson and the Michigan Canvassing Board in this matter, and with Janet Anderson-Davis, counsel for the Wayne County Clerk and Wayne County Canvassing Board. Counsel for the Defendants indicated that they would not oppose the motion to intervene.

Dated: November 13, 2020                      Respectfully submitted,

/s/ Eugene Driker

Eugene Driker (P12959)

Stephen E. Glazek (P23186)

Barris, Sott, Denn & Driker, P.L.L.C.

333 West Fort Street, Suite 1200

Detroit, MI 48226

(313) 965-9725

edriker@bsdd.com

sglazek@bsdd.com

Kristen Clarke

Jon Greenbaum

Ezra Rosenberg

LAWYERS COMMITTEE FOR CIVIL RIGHTS UNDER  
LAW

1500 K Street NW, Suite 900

Washington, DC 20005

Telephone: (202) 662-8300

kclarke@lawyerscommittee.org

jgreenbaum@lawyerscommittee.org

erosenberg@lawyerscommittee.org

*Counsel for Proposed Intervenor-  
Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on this date, the foregoing memorandum of law in support of motion to intervene was filed electronically and served on Plaintiffs' counsel of record via the ECF system of the U.S. District Court for the Western District of Michigan; and via e-mail on counsel for defendants.

Dated: November 13, 2020

/s/ Eugene Driker